



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3744
Examiner : Barry Clayton McCraw
Serial No. : 10/681,475
Filed : October 8, 2003
Inventor : Michael R. DeLuca
Title : REMOVABLE PROGRAMMABLE
: THERMOSTAT FOR AIR
: CONDITIONING AND HEATING
: SYSTEMS

Customer No.: 035811

Docket No.: 1288-03

Confirmation No.: 7474

Dated: September 5, 2006

SUPPLEMENTAL RESPONSE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Advisory Action dated August 7, 2006, the Applicant provides the following:

In view of the Request for Continued Examination filed herewith, the Applicant respectfully requests that the Amendment filed on July 11, 2006 in response to the Official Action dated May 2, 2006 be officially entered into the record. In addition, the Applicant provides the following remarks.

The Examiner is thanked for granting an interview with the Applicant's representative on August 22, 2006. As discussed during the interview, Weber fails to disclose or suggest certain features of independent claims 1, 11, 18, 20, and 21. For example, Weber fails to disclose electrically coupling a temperature sensor to a controller. To the contrary, Weber explicitly describes a remote temperature sensor that is separated from a control module. According to Weber, the temperature sensor is included in a wireless thermostat that is remote from the control

module in order to provide a "...moveable thermostat which may be conveniently repositioned or moved about in-situ to suit the needs of a person using the room." (see col. 3, lines 63-66 of Weber). Electrically coupling Weber's temperature sensor to its control module would render the temperature sensor immobile, thereby undermining the object of Weber. As such, the Applicant respectfully submits that one of ordinary skill in the art would not be motivated to combine the remote temperature sensor of Weber into the control module, as to do so would render the wireless thermostat inoperable.

Accordingly, the Applicant respectfully submits that claims 1-21 are fully patentable over Weber and respectfully request a notice reflecting the same.

Respectfully submitted,



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